

REMARKS

This communication is responsive to the Office Action mailed on August 6, 2008. The Examiner has rejected claims 1, 6-16, 19-22 and 28. Applicant's attorney wishes to thank Examiner Tolan for discussing the content of the prior art as well as the presented claims on February 4, 2009.

Applicant has amended the claims to replace the claim element "tool" with "a set of rollers." Support can be found throughout the specification for the amended claim language and specifically at page 12, lines 33-27. No new matter has been added.

The Office Action rejected independent claims 1 and 16 as being anticipated by Japanese patent application JP 59-193724 (Koizumi). Applicant respectfully submits that claims 1 and 16 are allowable over the Koizumi reference.

Elements of claims 1 and 16 include that the first and second sets of forming rollers take the same axial position with respect to the work piece. The Koizumi reference does not disclose, suggest or render obvious sets of rollers that take up different axial positions with respect to the work piece. Rather, the Koizumi reference discloses sets of rollers that are positioned at the same axial position with respect to the work piece. Therefore the Koizumi reference neither anticipates or renders obvious claims 1 and 16.

The Office action also rejected claims 6-15, 19-22 and 28 as being anticipated by the Koizumi reference. However, claims 6-15, 19-22 and 28 further define the invention claimed in claims 1 and 16. Therefore, at least due to their dependency upon claim 1 and 16, claims 6-15, 19-22 and 28 are also allowable over the Koizumi reference.

The Office Action also rejected claims 1 and 16 as being obvious over the combination of U.S. Patent No. 6,442,988 (Hamstra) in view of U.S. Patent No. 4,951,490 (Grönert). Applicant respectfully submits that claims 1 and 16 as amended are allowable over the combination of the Hamstra patent in view of the Grönert patent.

Elements of claims 1 and 16 include that rollers of the first and second set of forming rollers are mounted on a common holder. There is no disclosure or suggestion in either the Hamstra patent or the Grönert patent of utilizing the claimed device in the claimed method.

Rather, the Hamstra patent discloses a manufacturing method using two sets of forming rollers, wherein each set the rollers take up the same axial position. The rollers of 20a form one set and the rollers of 20b form a second set. As set out by the Office Action, the Hamstra patent does not disclose mounting one roller of set 20a on the same holder with a roller of set 20b. Rather, the Hamstra patent teaches that radial displacement of the rollers should be symmetrical (col. 1, l. 50 - 55). The device disclosed in the Hamstra patent could not be utilized in the claimed method because it would not be possible for one of the rollers of set 20a to be on the same holder as a roller of set 20b because the rollers 20a and 20b are offset from each other. Hence, Hamstra teaches away from using a rotatable or radially displaceable common holder holding a disc of set 20a and a disc of set 20b.

The Office Action also refers to the Grönert patent, in particular to parts 20 and 25. Each part 20 and each part 25 holds one roller. The apparatus of this reference has a roll holder 20 at each of its corner parts (col. 3, l. 17 - 19). Hence, the Grönert patent discloses four roller holders 20, each holding a single roller, each opposite roller being held by another roller holder 25. There simply is no disclosure or suggestion of utilizing a single holder to hold a roller from each of the first and second set of forming rollers as claimed.

Since neither the Hamstra patent nor the Grönert patent teach using a rotatable or radially translatable common holder for two or more rollers of different sets, applying the teachings of the Grönert patent to the system disclosed in the Hamstra patent would not result in a method according to present claims 1 and 16 as amended. Consequently, claims 1 and 16 are not obvious over the cited references. Reconsideration and allowance of claims 1 and 16 are respectfully requested.

The Office action also rejected claims 6-15, 19-22 and 28 as being as being obvious over the combination of the Hamstra patent in view of the Grönert patent. However, claims 6-15, 19-22 and 28 further define the invention claimed in claims 1 and 16. Therefore, at least due to their dependency upon claim 1 and 16, claims 6-15, 19-22 and 28 are also allowable over the combination of the Hamstra patent in view of the Grönert patent.

The foregoing remarks are intended to assist the Office in examining the application

and in the course of explanation may employ shortened or more specific or variant descriptions of some of the claim language. Such descriptions are not intended to limit the scope of the claims; the actual claim language should be considered in each case. Furthermore, the remarks are not to be considered exhaustive of the facets of the invention which are rendered patentable, being only examples of certain advantageous features and differences, which applicant's attorney chooses to mention at this time. For the foregoing reasons, applicant reserves the right to submit additional evidence showing the distinction between applicant's invention to be unobvious in view of the prior art.

Furthermore, in commenting on the references and in order to facilitate a better understanding of the differences that are expressed in the claims, certain details of distinction between the same and the present invention have been mentioned, even though such differences do not appear in all of the claims. It is not intended by mentioning any such unclaimed distinctions to create any implied limitations in the claims.

For the foregoing reasons, Applicant submits that the present application is in allowable form. Allowance of the present application is respectfully requested.

An online extension of time is hereby requested for responding to the Final Office Action. A charge authorization for the extension of time fee is included herewith.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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